

10/593302

IAP12 Rec'd PCT/PTO 18 SEP 2006

Written Opinion of the ISA

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference JIM/PL/2040553/at	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/SG2005/000084	International filing date (<i>day/month/year</i>) 17 March 2005	Priority date (<i>day/month/year</i>) 17 March 2004
International Patent Classification (IPC) or national classification and IPC Int. Cl. G06F 12/14 (2006.01) G06K 19/073 (2006.01) H04L 9/18 (2006.01)		
Applicant DIGISAFE PTE LTD et al		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of 5 sheets, as follows:</p> <div style="margin-left: 40px;"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. </div> <p style="margin-left: 20px;">b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 20%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
<input checked="" type="checkbox"/>	Box No. I	Basis of the report																							
<input type="checkbox"/>	Box No. II	Priority																							
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability																							
<input type="checkbox"/>	Box No. IV	Lack of unity of invention																							
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																							
<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited																							
<input type="checkbox"/>	Box No. VII	Certain defects in the international application																							
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																							

Date of submission of the demand 17 January 2006	Date of completion of this report 14 July 2006
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer R. W. J. FINZI Telephone No. (02) 6283 2213

Box No. I Basis of the report**1. With regard to the language, this report is based on:**

- ☒ The international application in the language in which it was filed
- ☐ A translation of the international application into _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3(a) and 23.1 (b))
- ☐ publication of the international application (under Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

☐ the international application as originally filed/furnished

☒ the description:

pages **1, 5 - 12** as originally filed/furnished

pages* **2 - 4** received by this Authority on **17 January 2006** with the letter of **17 January 2006**

pages* received by this Authority on with the letter of

☒ the claims:

pages as originally filed/furnished

pages* as amended (together with any statement) under Article 19

pages* **13 - 14** received by this Authority on **17 January 2006** with the letter of **17 January 2006**

pages* received by this Authority on with the letter of

☒ the drawings:

pages **1 - 2** as originally filed/furnished

pages* received by this Authority on with the letter of

pages* received by this Authority on with the letter of

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 1 - 7	YES
	Claims Nil	NO
Inventive step (IS)	Claims 1 - 7	YES
	Claims Nil	NO
Industrial applicability (IA)	Claims 1 - 7	YES
	Claims Nil	NO

2. Citations and explanations (Rule 70.7)Novelty (N) and Inventive Step (IS):

- D1) US 2002/0188856 A1 (Worby) 12 December 2002
D2) WO 2001/035193 A1 (INTERNATIONAL BUSINESS MACHINES CORPORATION) 17 May 2001
D3) US 6199163 B1 (Dumas et al.) 6 March 2001
D4) EP 911738 A2 (CALLUNA TECHNOLOGY LIMITED) 28 April 1999
D5) US 2003/0177379 A1 (Hori et al.) 18 September 2003
D6) WO 2003/012606 A2 (STONEWOOD ELECTRONICS LTD) 13 February 2003
D7) WO 2000/079392 A1 (FOTONATION, INC) 28 December 2000

None of the citations disclose the invention as claimed. The closest prior art, that of D4, describes a disk drive having an encryption/decryption circuit and security control means. Paragraph 27 discusses user authentication, and states that on power up, the drive is in the disabled state and is placed in the enabled state by inputting a numerical key that acts like a password. The numerical key is authenticated by the encryption hardware on the drive. If the numerical key is valid read/write access to the drive is granted, but if the numerical key is invalid then such access is denied. Consequently, there is no disclosure of the memory being exposed prior to user authentication.

Industrial Applicability (IA):

The claimed invention finds use in the field of data storage and clearly meets the requirements for industrial applicability.

Box No. VI **Certain documents cited****1. Certain published documents (Rule 70.10)**

<u>Application No.</u> <u>Patent No.</u>	<u>Publication date</u> <u>(day/month/year)</u>	<u>Filing date</u> <u>(day/month/year)</u>	<u>Priority date (valid claim)</u> <u>(day/month/year)</u>
D1) P,X US 2004/0103288	27 May 2004	27 November 2002	27 November 2002

Claim 6 is not considered to be novel or inventive in light of citation D1, which discloses a method of protecting data in which an encryptor is exposed to an interface only upon successful user authentication. In D1, it is noted that memory area 121 is exposed to the interface at least until user authentication (please refer to paragraph [0037] and Figure 6). If user authentication is successful, then memory area 122 is exposed for the storage of data.

2. Non-written disclosures (Rule 70.9)Kind of non-written disclosureDate of non-written disclosure
(day/month/year)Date of written disclosure
referring to non-written disclosure
(day/month/year)